

3-11

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 3, 1953

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by RABBI HAROLD KRANZLER, Temple Beth Israel.

Approval of Minutes of previous meetings was before the Council.

Councilman Long moved that the Minutes of August 3rd and August 20th be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long moved that the Minutes of August 18th be approved as corrected. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White moved that the minutes of August 27, 1953, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The construction of a sanitary sewer in Guadalupe Street easement from Airport Boulevard northerly to serve the school tract in Northway Crest Addition Section 2, was before the Council. Councilman White inquired as to the length of this sewer line, and it was stated it was a little over a half mile long. Councilman Long inquired if Mr. Sandlin would pay for any of this line. It was explained that Mr. George Sandlin had given some playground property in return for running this sewer line, the property being adjacent to the school property. The City Manager pointed out that this property would have had to be obtained, as well as another tract which will have to be purchased. He stated this arrangement was very desirable, as Mr. Sandlin could have had the line put in on a refund basis. The City Manager stated the property had been recommended by the Recreation Department and was in agreement with the School in the playground program.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 28, 1953, for the construction of a sanitary sewer in Guadalupe Street Easement from Airport Boulevard, northerly, to serve the School Tract in Northway Crest Addition, Section 2; and,

WHEREAS, the bid of Karl B. Wagner in the sum of \$15,247.25 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Karl B. Wagner in the sum of \$15,247.25 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Karl B. Wagner for the construction of a Sanitary Sewer in Guadalupe Street Easement from Airport Boulevard, northerly, to serve the School Tract in Northway Crest Addition, Section 2.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Regarding the additional property adjoining the Sandlin property adjacent to the School, Councilman Pearson moved that the City Manager proceed in attempting to get an option from MR. DAN DYESS on the property adjoining the school property to be dedicated as a park area in this community within the next 90 days. (Property lying between the School tract and Delafield Lane, and Anderson Lane, on the north, and the George Sandlin tract on the south.)

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B-1" RESIDENCE AND SECOND HEIGHT AND AREA DISTRICT ON A TRACT OF LAND OUT OF OUTFLOT 40, DIVISION "D", LOCALLY KNOWN AS 2301 LEON STREET (1012 WEST 23RD STREET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SOAS TO RECORD THE CHANGES HEREBY ORDERED: AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in INTERREGIONAL HIGHWAY, from East Live Oak Street to East Oltorf Street, the centerline of which gas main shall be 2 feet east of and parallel to the west property line of said INTERREGIONAL HIGHWAY.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EAST OLTORF STREET, from Interregional Highway westerly 160 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST OLTORF STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in MANSELL AVENUE, from a point 146 feet south of Delores Avenue southerly 124 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said MANSELL AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in LOUIS AVENUE, from Mansell Avenue easterly 153 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LOUIS AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of South Congress Avenue north of Academy Drive, which property fronts 130 feet on South Congress Avenue and being known as a portion of the T. A. Martin Tract out of the Isaac Decker League in the City of Austin, Travis County, Texas, and hereby authorizes the said Rubiola Brothers, lessee, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Rubiola Brothers, lessee, has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

September 3, 1953

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Rubiola Brothers, lessee, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in connection therewith upon the property located on the east side of South Congress Avenue, north of Academy Drive, which property fronts 130 feet on South Congress Avenue and being known as a portion of the T. A. Martin tract out of the Isaac Decker League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by T. A. Martin and is under lease to the Rubiola Brothers and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage

shall be entirely the responsibility of the property owner.

"We recommend that Rubiola Brothers, lessee, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1219.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1219 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted
C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 31, 1953, for the furnishing of 42" steel cylinder concrete pipe and fittings to connect the new treatment plant to the existing distribution system; and,

WHEREAS, the bid of Gifford-Hill-American, Inc., in the sum of \$77,353.89 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Gifford-Hill-American, Inc., in the sum of \$77,353.89 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Gifford-Hill-American, Inc., for the furnishing of such pipe and fittings.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilman Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager had previously explained the construction of the pipe and explained its necessity and that it would be an expenditure out of next year's budget.

Councilman Pearson asked how much more would be needed to complete this plant. The City Manager stated \$1,200,000. Councilman Thompson stated the Council had already voted \$131,000 two weeks ago, and this 77,000 to come out of next year's budget.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Roy Velasquez, presently operating a taxicab business in the City of Austin under the name of Roy's Taxi, is hereby granted permission to change the color scheme of his taxicabs, and to operate such taxicabs hereafter with the following design or combination of colors:

The top of the cab, from the bottom of the window panel up, to be solid target red; the wheels also to be solid target red; the rest of the cab body, fenders, and hood to be glen mist green; the lettering to be black with a shading of aluminum and red.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilman Long, Pearson, Thompson, White, Mayor McAden
Noes: None

REV. CARL L. W. ISRAEL presented a statement to the Council requesting the opening of Woodrow Avenue or Grover Avenue. MR. EDDIE JOSEPH appeared giving a history of what had taken place during the last six years on opening these streets. He wanted to recommend to the estate that they give all the streets through--Arroya Seca, Woodrow, and Grover--provided the City would grade, asphalt and curb them. He felt they were under no obligation to open the streets and pave them if they were willing to give the property. He wanted the city to either buy the right of way or accept the three rights of way under the conditions he set out. Councilman White was interested in knowing if the rest of the estate would agree to Mr. Joseph's recommendation. He stated he thought they would. Councilman Long made inquiry as to the amount necessary to buy the three rights-of-way. Mr. Joseph stated there would be a little larger value on some, and there might be two or three thousand dollars difference. Councilman Thompson thought the important thing to do was to get the streets opened so the school would be accessible. He suggested that the Council study this from a standpoint of which is the most advantageous to the City--to go ahead and purchase at the price the appraisers made including some property that will be adjacent to a park, or accept Mr. Joseph's proposition of giving the city this land provided the city paved it and to proceed to do what needs to be done to get to the school. Councilman Thompson moved that this be studied between now and next Thursday and that the Council be able to take some action, accepting his proposition or doing something about getting the streets opened. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

MR. WILLIAM B. BYERS, 1709 Alguma Road, inquired as to when the 1700 and 1800 blocks of Alguma would be paved. It was explained why this was not in the last paving program in that there was not enough money available. Councilman Thompson stated he wanted to introduce a plan to the Council whereby the city's part of paving would be reduced, so that more planning could be done to do more paving, if such a program would meet the general approval of the people and if they wanted to accept a larger cost to get their paving done. The City Manager suggested the Voluntary Paving Plan to Mr. Byers, but he stated that would be difficult to get 100% signed up, as there was some rent property. Councilman Pearson suggested that Mr. Byers wait for his answer until the budget for 1954 was placed before the Council so it could decide on how much paving could be done. No further action was taken by the Council and this matter left pending until the Budget is considered.

The Council set the following applications for change of zoning for public hearing at 11:00 A.M., September 24, 1953:

BEAL STONE	Lot 5, Blk. 12, Outlet 37 Division B, locally known as 1810 Chicon Street	From "C" Commercial To "C-1" Commercial NOT Recommended by the Planning Commission
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WALFRED T. JOHNSON	A 1-acre tract, more or less, out of the sw corner, John C. Towns 25 acre tract out of James E. Wallace locally known as 501-507 E. 49th St., or 4811-15 Duval St.	From "A" Residence To "C" Commercial NOT RECOMMENDED by the Planning Commission
JAMES R. ALLEN	So. 50' of Lot 11 and of the west 10.07' average of Lot 10, Blk. 4, Glen Ridge Addn., locally known as 1000 W. 34th Street.	From "C" Commercial To "C-2" Commercial NOT RECOMMENDED by the Planning Commission
MRS. GAY WELCH & MRS. JEWELL E. BROWN	E. 45.83', Lot 14, Outlot 6, Div. "Z" locally known as 1006-08-12 W. 12th St.	From "B" Residence To "C" Commercial RECOMMENDED by the Planning Commission
EMMA MILLER EXLINE	Part of George W. Spear League No. 7, described by metes & Bound locally known as 3406 Jefferson St.	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission

The City Manager submitted a Memorandum from the Traffic Engineer regarding the proposed installation of additional parking meters in cordon area of central business district. Councilman Pearson moved that this be studied for two weeks and report back in two weeks from this date (September 17th). The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager stated that MR. WM. G. DARLEY had moved, and it would be necessary to fill his vacancy on the Electric Board. The following were suggested as Engineers: MESSRS. GROVER KENYAN, A. T. MOSES, JOE ATKINSON, SR., J. CARSON SMITH. No action was taken, and the Council decided to wait until the following week.

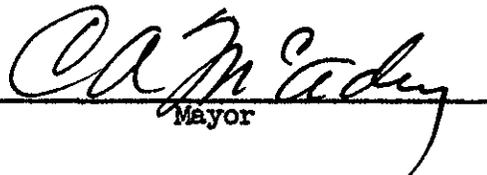
The Mayor called a special meeting of the Council for 2:00 P.M. Tuesday, September 8th to consider opening the streets through the Joseph property; to consider the parking meter installations in the down-town areas; to consider the list of engineers to fill the vacancy on the Electric Board; and to meet with the Subdivision Committee.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission:

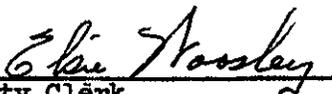
MRS. JOE A. WUKASCH By Eugene Wukasch	4208 Duval	From "B" Residence To "C" Commercial
SAM WILLIAMS	4811-17 & 4819-31 Airport Blvd.	From "A" Residence To "C" Commercial
MRS. ARTHUR McPAUL MRS. VELMA ROE, BERT BAUGH	2801, 05, 07 E. Avenue	From "A" Residence To "C" Commercial
GUY STALNAKER & DR. PAUL STALNAKER	506 W. 10th Street	From "B" Residence To "C" Commercial

There being no further business, the Council adjourned at 11:30, subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk